

# Exhibit A

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS**

ANANDA CAMARGO CHAVEZ,  
*Plaintiff,*

v.

REBUILT BROKERAGE LLC d/b/a  
REBUILT REALTY AND REBUILT  
OFFERS LLC  
*Defendant.*

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Case No. 1:24-cv-504-RP

**AFFIDAVIT OF ALBERT YOUNG**

COUNTY OF Davidson §  
STATE OF Tennessee §

**BEFORE ME**, the undersigned authority, on this day personally appeared Albert Young, known to me to be the person whose name is subscribed on this instrument and, having been first duly sworn, upon his oath deposes and states as follows:

1. I, Albert Young, am over the age of eighteen (18) years of age, of sound mind, have never been convicted of a felony or a misdemeanor of moral turpitude and am fully competent and qualified to make this Affidavit. I have personal knowledge of all the facts set forth in this Affidavit and all facts and statements contained herein are true and correct of my own personal knowledge.
2. I am the CEO of Rebuilt Holdings, LLC. Rebuilt Brokerage LLC and Rebuilt Offers LLC are 100 percent wholly owned subsidiaries of Rebuilt Holdings.
3. These companies are engaged in the purchasing, marketing, and selling of houses and associated property to qualified investors and/or individuals looking to buy a house,
4. Both Rebuilt Brokerage LLC and Rebuilt Offers LLC engaged in the sending of text messages, albeit at different times.

5. I am familiar, based on my personal knowledge as well as knowledge gained through my role as CEO, of the text messaging platforms used by Rebuilt, Rebuilt's websites and their content,
6. These text messages were sent through a third-party platform called ClickSend.
7. Rebuilt used Clicksend since at least early 2022.
8. ClickSend also handled the processing of opt-outs received from consumers.
9. Rebuilt maintained various lists of individuals to whom Rebuilt sent text messages concerning real estate investment opportunities.
10. These lists are separated by market.
11. The type of list Plaintiff was placed on concerned properties being marketed for sale to individuals.
12. In order to be placed on Rebuilt's texting list, an individual had to opt in to receiving the text message from Rebuilt.
13. Rebuilt only sought to contact individuals that wanted to be contacted by Rebuilt.
14. Rebuilt did not purchase any leads or contact information for any individuals from any lead generators or similar business.
15. Rebuilt did not pay any money to any third party for any contact information for any individuals that were on Rebuilt's texting list.
16. In order to opt in, an individual had to fill in a webform and submit it through Rebuilt's website.
17. No other sources provided the contact information for any individuals on the text lists other than the individuals who submitted their information via the website.
18. The website Rebuilt used and the webform Rebuilt used to receive opt ins to its texting lists changed over the years.

19. Rebuilt does not maintain backups of these websites.
20. Prior to April of 2023, Rebuilt used a website that had a webform under which individuals could submit their contact information to Rebuilt to receive text messages concerning Rebuilt's inventory.
21. Individuals were requested to input their name, address, email, and telephone number
22. Consumers were also required to consent to receiving text messages from Rebuilt.
23. In April of 2023, Rebuilt redesigned its website and functionality. Under the new website, if an individual wanted to sign up to access inventory available for Rebuilt, an individual had to register an account and provide a username, password, and phone number.
24. Since April of 2023, individuals have been able sign up at <https://marketplace.rebuilt.com/>.
25. After visiting that site, a user clicks "Create Account."
26. This shows the following screen to the user:

Sign up

First name

Last name

Email

Phone number

+1

We will send an SMS verification code to your phone number

Password

Password confirmation

How did you hear about us?

☐

I agree to Rebuilt's [Terms of Use](#) and [Privacy Policy](#).

☐

By submitting a telephone number to us, you agree that a representative of Rebuilt can contact you at the number you provide, potentially using automated technology (including emails/SMS messaging) or a pre-recorded message. Your consent is not an obligation to receive any of our services.

Sign up

Have an account? [Sign in](#)

For support: Email us at [help@rebuild.com](mailto:help@rebuild.com)

27. The account creation screen asks for first name, last name, email, phone number, password, and source of referral.
28. In order to complete this process, users were required to click two checkboxes.
29. One checkbox signaled acceptance of Rebuilt's Terms of Use and Privacy Policy and includes links to these documents.
30. The other checkbox signaled consent to receive marketing text messages from Rebuilt.
31. Below that text box, the website states, among other disclosures, "Your consent is not an obligation to receive any of our services."

32. The Terms of Service state, “By submitting a telephone number to us, you agree that a representative of Rebuilt can contact you at the number you provide, potentially using automated technology (including emails/SMS messaging) or a pre-recorded message. Your consent is not an obligation to receive any of our services.” *See* <https://www.rebuilt.com/terms-of-use>.

33. Further, Rebuilt adopted a multi-factor authentication process in 2023 as part of the website upgrade.

34. Under this process, when an individual signs up and consents to receive text messages from Rebuilt, they are sent a text message which requires the individual to take certain steps to confirm their account.

35. Until an individual confirms their account in this manner, they will not receive any text messages from Rebuilt.

36. The account features on Rebuilt’s website allows individuals to control their marketing preferences.

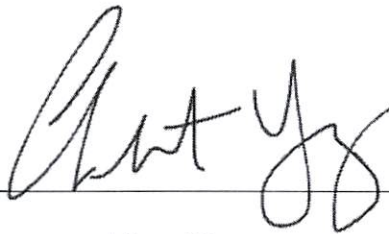
37. According to information maintained by Rebuilt concerning the number ending in 1523, alleged to belong to Plaintiff, the account was registered by an individual with a name other than Plaintiff and other personal identify information, which does not match Plaintiff, via webform submission on July 1, 2022, at 8:13 a.m.

38. Rebuilt can further link this submission to a unique IP address it was submitted with.

39. Rebuilt can link each account signed up via its various webform submission form to a unique IP address.

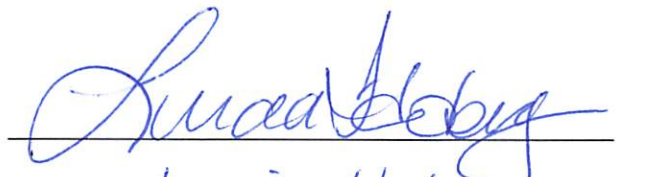
40. Rebuilt can determine when each account was added through its records.

41. There is no way for Rebuilt to determine if any individual who signed up to be contacted by Rebuilt accidentally put in the wrong contact information without reviewing every account and phone number.
42. Rebuilt would not know it was contacting an incorrect person until that person informed Rebuilt over the mistake.
43. Rebuilt believed it had consent to send text messages to every number that it texted.
44. Rebuilt did not intentionally text any individual(s) that Rebuilt did not believe it had consent for.
45. Rebuilt only sought to contact people that had indicated to Rebuilt that they wanted to receive the offers from Rebuilt.
46. Some of the numbers on Rebuilt's marketing lists have been on these lists for years.
47. Rebuilt has sold properties to individuals via the use of these text messages.
48. Rebuilt has had other business relationships with other individuals who also receive text messages from Rebuilt.
49. Rebuilt would not continue to use a text message platform if it was not successful in reaching people that wanted to be contacted by Rebuilt.
50. To the best of Rebuilt's knowledge, they had express written consent to contact every individual they texted, as 1) providing consent was necessary to submitting a request to receive marketing material under the old system, and 2) the new texting platform required two factor authorization to receive text messages, and 3) the account-based system had options to enable and disable consent.



Albert Young  
CEO, Rebuilt Holdings, Inc.

SWORN TO AND SUBSCRIBED before me, a Notary Public, on this the 21 day of  
April, 2025.



Name: Linda Hoberg  
Notary Public in and for the State of TN

My Commission Expires:

3/9/27

